

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Anthony Moore,

Civil No. 11-3700 (DWF/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

LeAnn K. Bertsch, et al.,
suing in their official and
individual capacities,

Defendants.

This matter is before the Court on Plaintiff Anthony Moore's ("Plaintiff") objections to Magistrate Judge Leo I. Brisbois's January 13, 2012 Report and Recommendation insofar as it recommends that: (1) Plaintiff's application for leave to proceed *in forma pauperis* be denied; (2) Plaintiff's "motion for order to grant appropriate relief" be denied; (3) Plaintiff's motion for summary judgment be denied; and (4) this action be summarily dismissed without prejudice.

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of the parties, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Plaintiff's objections.

Plaintiff objects to the Magistrate Judge's ruling in its entirety but does not offer any specific error or misapplication of the law. The Court has carefully reviewed the record

and concludes that Plaintiff's objections offer no basis for departure from the Report and Recommendation. Based upon the *de novo* review of the record and all of the arguments and submissions of the parties, and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff Anthony Moore's objections (Doc. No. [7]) to Magistrate Judge Leo I. Brisbois's January 13, 2012 Report and Recommendation are **OVERRULED**.
 2. Magistrate Judge Leo I. Brisbois's January 13, 2012 Report and Recommendation (Doc. No. [6]) is **ADOPTED**.
 3. Plaintiff's application for leave to proceed *in forma pauperis* (Doc. No. [2]) is **DENIED**.
 4. Plaintiff's "motion for order to grant appropriate relief" (Doc. No. [3]) is **DENIED**.
 5. Plaintiff's motion for summary judgment (Doc. No. [5]) is **DENIED**.
 6. This action is summarily **DISMISSED WITHOUT PREJUDICE**.
- LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: February 7, 2012

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge